

Response to Arguments

1. Due to the applicant's amendments to the claims, the previous rejections are rendered moot. Applicant has included limitations drawn to a rear damper in a longitudinal rejection. Additionally, the applicant has filed an IDS containing relevant prior art that was previously unavailable to the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 5, 13, 15-19 rejected under 35 U.S.C. 102(b) as being anticipated by JP 56-169873 (submitted by applicant). '873 teaches a drum type washing machine comprising a cabinet 1, a tub/drum 2, a rotational shaft penetrating into the tub and coupled with the rear side of the drum powered by a motor (see items 5, 6, 7, and 8), and a damper system. The damper system comprises first and second dampers provided at left and right sides under a bottom of the tub (figure 1) and a third damper provided in a rear of the tub and under the bottom of the tub, wherein the third damper extends from the rear of the tub in a longitudinal direction of the drum toward a back panel (see figure 2). The third damper is provided to a rear wall (figure 2). In regards to claim 18 and 19, the first and second dampers are arranged as claimed and depicted in the applicant's drawings. Additionally, the third damper is arranged as claimed and depicted in the applicant's drawings.

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6-7 rejected under 35 U.S.C. 103(a) as being unpatentable over '873 in view of Ryan. '873 teaches dampers, and shows what appears to be a common piston cylinder arrangement, however the exact arrangement is unclear due to a lack of translation. However, Ryan teaches a piston rod 46 that is coupled with a cabinet and a cylinder that is coupled with a tub (figure 1), establishing that the claimed piston/cylinder arrangement is known in the art. It would have been obvious at the time of invention to modify '873 and include the dampers of Ryan in order to attenuate vibration.

6. Claims 8 rejected under 35 U.S.C. 103(a) as being unpatentable over '873 in view of Ryan and further in view of Durazanni. None of the above references teach the claimed hinges. Ryan discloses that the cylinder is pivotably attached to the tub and frame (paragraph 3 lines 42-44) either directly or indirectly (col. 3 lines 33-37). Hinges, joints, swivels, etc. are common in the art and are not considered novel. Durazzani et al. discloses hinge assemblies 32 and 34 that support the cylinders 30 thereby increasing dampening ability. It would have been obvious to one skilled in the art at the time of the invention to modify Ryan, who discloses the need for a pivotable attachment, and include a hinge or joint assembly, as taught by Durazzani, to pivotably attach the

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dampener to the tub and cabinet for increased dampening ability. It would be obvious to include such dampers in '873.

7. Claims 5-6, 13, 15-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Myerscough in view of '873. Myerscough discloses a washing machine comprising a cabinet 5, water tank (claim 5), drum 4, motor 7 provided to rotate the drum 4. A motor shaft is considered inherent. Myerscough further teaches 4 independent spring dampers comprising front dampers 1, and rear dampers 2. The front dampers are readable on the applicant's first and second dampers. At least one on the rear wall of the tub and under the bottom of the tub (figure 1). The dampers comprise pistons 21 and cylinders 20. Myerscough does not disclose a damper extending towards the back panel. However '873 discloses the claimed damper arrangement, with a third damper extending towards the back panel of the cabinet. It would have been obvious at the time of invention to modify Myerscough and extend the third damper towards the back panel, as disclosed by '873, in order to attenuate vibrations.

8. Claim 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Myerscough in view of '873 in view of Ryan. '873 teaches dampers, and shows what appears to be a common piston cylinder arrangement, however the exact arrangement is unclear due to a lack of translation. However, Ryan teaches a piston rod 46 is coupled with a cabinet and a cylinder is coupled with a tub (figure 1), establishing that the known piston/cylinder arrangement is known in the art. It would have been obvious at the time of invention to modify Myerscough and include the damper arrangement of '873, and further include the dampers of Ryan in order to attenuate vibration.

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9. Claims 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Myerscough in view of '873 in view of Ryan and further in view of Durazanni. None of the above references teach the claimed hinges. Ryan discloses that the cylinder is pivotably attached to the tub and frame (paragraph 3 lines 42-44) either directly or indirectly (col. 3 lines 33-37). Hinges, joints, swivels, etc. are common in the art and are not considered novel. Durazzani et al. discloses hinge assemblies 32 and 34 that support the cylinders 30 thereby increasing dampening ability. It would have been obvious to one skilled in the art at the time of the invention to modify Ryan, who discloses the need for a pivotable attachment, and include a hinge or joint assembly, as taught by Durazzani, to pivotably attach the dampener to the tub and cabinet for increased dampening ability. It would be obvious to include such dampers in the combination of Myerscough and '873.

Conclusion

Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 3/9/10 as well as the new amendments to the claims prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON HECKERT whose telephone number is (571)272-2702. The examiner can normally be reached on Mon. to Friday, 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/
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JMH

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